



Entered on Docket
December 16, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

Electronically Filed on _____

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The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-3, Mortgage Pass-Through Certificates, Series 2005-3 09-77368

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In Re:

John A. Woloszyn and Debra Crane

Debtors.

BK-S-09-29426-lbr

Date: 11/23/2009
Time: 10:30 am

Chapter 7

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JPMorgan Chase Bank, NA as Trustee for Structured Asset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-3, Mortgage Pass-Through Certificates, Series 2005-3, its assignees and/or successors in interest, of the subject property, generally described as 7409 Stormson Dr, Las Vegas, NV 89145, and legally described as follows:

Lot 5 in Block 5 Charleston Rainbow Unit No. 14-C, as shown by map thereof on file in Book 19 of Plats, Page 42 in the Office of the County Recorder of Clark County, Nevada.

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2 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**
3 **give Debtors at least five business days' notice of the time, place and date of sale.**

4 DATED this ____ day of _____, 2009

5 Submitted by:

6 **WILDE & ASSOCIATES**

7 By: /s/Gregory L. Wilde, Esq
8 **Gregory L. Wilde, Esq.**
9 Attorney for Secured Creditor
208 South Jones Boulevard
Las Vegas, Nevada 89107

10 APPROVED / DISAPPROVED

11 By: _____
12 Ellen Stoebling
13 3085 E. Russell Road, Suite G
14 Las Vegas, NV 89120
Attorney for Debtor(s)

15 Nevada Bar No: _____

16 APPROVED / DISAPPROVED

17 By: _____
18 James F. Lisowski, Sr.
19 P.O Box 95695
20 Las Vegas, NV 89193
Chapter 7 Trustee

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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: _____

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

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24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor